

110TH CONGRESS  
1ST SESSION

# S. 2254

To establish the Mississippi Hills National Heritage Area in the State of Mississippi, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

OCTOBER 29, 2007

Mr. COCHRAN introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To establish the Mississippi Hills National Heritage Area in the State of Mississippi, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Mississippi Hills Na-  
5       tional Heritage Area Act of 2007”.

6       **SEC. 2. FINDINGS.**

7       Congress finds that—

8               (1) the area in northern Mississippi, and lo-  
9       cated in the southern foothills of the Appalachian  
10      range, has a unique identity that is shaped by—

1 (A) a diverse geological and geographical  
 2 environment, including substantial portions  
 3 of—

- 4 (i) the Red Clay Hills;
- 5 (ii) the Flatwoods;
- 6 (iii) the Pontotoc Ridge;
- 7 (iv) the Black Prairie; and
- 8 (v) the Northeastern Hills; and

9 (B) diverse peoples who—

- 10 (i) have settled in the area; and
- 11 (ii) have been strongly influenced by
- 12 the intersection of the distinctive cultures
- 13 of Appalachia and the Mississippi Delta;

14 (2) the area is rich with landmarks of diverse  
 15 cultural and historical significance, including—

16 (A) Native American settlements, particu-  
 17 larly those of the Chickasaw and Choctaw  
 18 tribes;

19 (B) the Natchez Trace Parkway;

20 (C) sites of important battles and other  
 21 significant actions of the Civil War, including—

- 22 (i) the Battle of Corinth;
- 23 (ii) the Battle of Brices Crossroads;
- 24 (iii) the Battle of Tupelo;
- 25 (iv) Van Dorns' Raid; and

1 (v) Grierson’s Raids;

2 (D) the Contraband Camp in Corinth;

3 (E) the Mississippi University for Women,  
4 the first public college for women in the United  
5 States;

6 (F) Rust College, founded before 1867,  
7 which stands as 1 of the 5 remaining histori-  
8 cally black colleges in the United States;

9 (G) birthplaces of literary and musical  
10 icons, including—

11 (i) Elvis Aaron Presley, popularly  
12 known as the “King of Rock and Roll”,  
13 born in Tupelo;

14 (ii) Nobel-Laureate William Faulkner,  
15 born in New Albany;

16 (iii) Tammy Wynette, popularly  
17 known as the “The First Lady of Country  
18 Music”, born in Tremont;

19 (iv) Tennessee Williams, 1 of the lead-  
20 ing playwrights of the United States, born  
21 in Columbus;

22 (v) Chester A. Burnett, otherwise  
23 known as the legendary bluesman “Howlin’  
24 Wolf”, born in White Station;

1 (vi) opera diva Ruby Elzy, born in  
 2 Pontotoc; and

3 (vii) Mississippi Hills blues musicians  
 4 David “Junior” Kimbrough and R.L.  
 5 Burnside, born in Marshall and Lafayette  
 6 counties, respectively;

7 (H) birthplaces of Civil Rights pioneers,  
 8 including—

9 (i) Ida B. Wells-Barnett, a formidable  
 10 figure in the anti-lynching movement, born  
 11 in Holly Springs; and

12 (ii) James Meredith, who became the  
 13 first African-American to enroll at the  
 14 University of Mississippi, born in Kos-  
 15 ciusko; and

16 (I) birthplaces or residences of other cul-  
 17 tural icons and historical figures, including—

18 (i) barnstorming legend Roscoe Turn-  
 19 er, born in Corinth;

20 (ii) railroad engineer Casey Jones,  
 21 who lived in Water Valley;

22 (iii) Civil War cavalryman Nathan  
 23 Bedford Forrest, who lived in Salem;

1 (iv) Hiram Revels, the first African-  
 2 American to serve in the Senate, who lived  
 3 in Holly Springs;

4 (v) L.Q.C. Lamar, a Senator, Sec-  
 5 retary of the Interior, and Associate Jus-  
 6 tice of the Supreme Court of the United  
 7 States, who lived in Oxford;

8 (vi) author Eudora Welty, who at-  
 9 tended the Mississippi University for  
 10 Women in Columbus; and

11 (vii) Confederate General Stephen D.  
 12 Lee, who lived in Columbus;

13 (3) the area includes spectacular natural, sce-  
 14 nic, and recreational resources, including—

15 (A) the Strawberry Plains State Audubon  
 16 Center;

17 (B) the Wolf River;

18 (C) the Tennessee-Tombigbee Waterway;

19 (D) the Holly Springs National Forest;

20 (E) the Tombigbee National Forest;

21 (F) the Noxubee National Wildlife Refuge;

22 (G) the Tishomingo State Park; and

23 (H) the Sardis, Enid, and Grenada Lakes;

24 (4) there is broad support from local govern-  
 25 ments and other interested individuals for the estab-

1        lishment of the Mississippi Hills National Heritage  
 2        Area to coordinate and assist in the preservation  
 3        and interpretation of those resources;

4            (5) the Mississippi Hills Heritage Area Concept  
 5        Plan, coordinated by the Mississippi Hills Heritage  
 6        Area Alliance is—

7            (A) a collaborative effort between the Fed-  
 8        eral Government and State and local govern-  
 9        ments in the area; and

10          (B) a natural foundation on which to es-  
 11        tablish the Mississippi Hills Heritage Area; and

12          (6) the establishment of the Mississippi Hills  
 13        Heritage Area would assist local communities and  
 14        residents in preserving the unique cultural, histor-  
 15        ical, archaeological, natural, and recreational re-  
 16        sources of the area.

17 **SEC. 3. DEFINITIONS.**

18        In this Act:

19            (1) **ALLIANCE.**—The term “Alliance” means  
 20        the Mississippi Hills Heritage Area Alliance, a non-  
 21        profit organization registered by the State, with the  
 22        cooperation and support of the University of Mis-  
 23        sissippi.

1           (2) HERITAGE AREA.—The term “Heritage  
2       Area” means the Mississippi Hills National Heritage  
3       Area established by section 4(a).

4           (3) MANAGEMENT PLAN.—The term “manage-  
5       ment plan” means the management plan for the  
6       Heritage Area developed under section 7.

7           (4) SECRETARY.—The term “Secretary” means  
8       the Secretary of the Interior.

9           (5) STATE.—The term “State” means the State  
10      of Mississippi.

11 **SEC. 4. MISSISSIPPI HILLS NATIONAL HERITAGE AREA.**

12       (a) ESTABLISHMENT.—There is established in the  
13      State the Mississippi Hills National Heritage Area.

14       (b) BOUNDARIES.—

15           (1) AFFECTED COUNTIES.—The Heritage Area  
16       shall consist of all, or portions of, as specified by the  
17       boundary description in paragraph (2), Alcorn,  
18       Attala, Benton, Calhoun, Carroll, Chickasaw, Choc-  
19       taw, Clay, DeSoto, Grenada, Holmes, Itawamba, La-  
20       fayette, Lee, Lowndes, Marshall, Monroe, Mont-  
21       gomery, Noxubee, Oktibbeha, Panola, Pontotoc,  
22       Prentiss, Tate, Tippah, Tishomingo, Union, Web-  
23       ster, Winston, and Yalobusha Counties in the State.

24           (2) BOUNDARY DESCRIPTION.—The Heritage  
25       Area shall have the following boundary description:

1 (A) traveling counterclockwise, the Herit-  
2 age Area shall be bounded to the west by U.S.  
3 Highway 51 from the Tennessee State line until  
4 it intersects Interstate 55 (at Geeslin Corner  
5 approximately ½ mile due north of Highway  
6 Interchange 208);

7 (B) from this point, Interstate 55 shall be  
8 the western boundary until it intersects with  
9 Mississippi Highway 12 at Highway Inter-  
10 change 156, the intersection of which shall be  
11 the southwest terminus of the Heritage Area;

12 (C) from the southwest terminus, the  
13 boundary shall—

14 (i) extend east along Mississippi  
15 Highway 12 until it intersects U.S. High-  
16 way 51;

17 (ii) follow Highway 51 south until it  
18 is intersected again by Highway 12;

19 (iii) extend along Highway 12 into  
20 downtown Kosciusko where it intersects  
21 Mississippi Highway 35;

22 (iv) follow Highway 35 south until it  
23 is intersected by Mississippi Highway 14;  
24 and



1 (v) extend along Highway 14 until it  
 2 reaches the Alabama State line, the inter-  
 3 section of which shall be the southeast ter-  
 4 minus of the Heritage Area;

5 (D) from the southeast terminus, the  
 6 boundary of the Heritage Area shall follow the  
 7 Mississippi-Alabama State line until it reaches  
 8 the Mississippi-Tennessee State line, the inter-  
 9 section of which shall be the northeast terminus  
 10 of the Heritage Area; and

11 (E) the boundary shall extend due west  
 12 until it reaches U.S. Highway 51, the intersec-  
 13 tion of which shall be the northwest terminus of  
 14 the Heritage Area.

15 **SEC. 5. DESIGNATION OF ALLIANCE AS MANAGEMENT EN-**  
 16 **TITY.**

17 (a) IN GENERAL.—The Alliance shall be the coordi-  
 18 nating entity for the Heritage Area.

19 (b) FEDERAL FUNDING.—

20 (1) AUTHORIZATION TO RECEIVE FUNDS.—The  
 21 Alliance may receive amounts made available to  
 22 carry out this Act.

23 (2) DISQUALIFICATION.—If a management plan  
 24 is not submitted to the Secretary as required under  
 25 subsection (a) of section 7 within the time period

1 specified in that subsection, the Alliance may not re-  
2 ceive Federal funding under this Act until a man-  
3 agement plan is submitted to the Secretary.

4 (c) USE OF FEDERAL FUNDS.—The Alliance may,  
5 for the purposes of developing and implementing the man-  
6 agement plan, use Federal funds made available under  
7 this Act—

8 (1) to make grants and loans to the State, po-  
9 litical subdivisions of the State, nonprofit organiza-  
10 tions, and other persons;

11 (2) to enter into cooperative agreements with,  
12 or provide technical assistance to, the State, political  
13 subdivisions of the State, nonprofit organizations,  
14 and other organizations;

15 (3) to hire and compensate staff;

16 (4) to obtain funds from any source, under any  
17 program or law, requiring the recipient of funds to  
18 make a contribution in order to receive the funds;  
19 and

20 (5) to contract for goods and services.

21 (d) PROHIBITION OF ACQUISITION OF REAL PROP-  
22 erty.—The Alliance may not use Federal funds received  
23 under this Act to acquire real property or any interest in  
24 real property.

1 **SEC. 6. AUTHORITIES AND DUTIES OF ALLIANCE.**

2 (a) **AUTHORITIES.**—To develop and implement the  
3 management plan and otherwise carry out this Act, the  
4 Alliance may make grants to and provide technical assist-  
5 ance to tribal and local governments and other public and  
6 private entities.

7 (b) **DUTIES.**—In carrying out this Act, the Alliance  
8 shall—

9 (1) implement the management plan;

10 (2) assist local and tribal governments and non-  
11 profit organizations to—

12 (A) establish and maintain interpretive ex-  
13 hibits in the Heritage Area;

14 (B) develop recreational resources in the  
15 Heritage Area;

16 (C) increase public awareness of, and ap-  
17 preciation for, the cultural, historical, archae-  
18 ological, natural, and recreational resources of  
19 the Heritage Area;

20 (D) restore historic resources that relate to  
21 the Heritage Area; and

22 (E) carry out any other activity that the  
23 Alliance determines to be appropriate to carry  
24 out this Act, consistent with the management  
25 plan;

1           (3) on at least an annual basis, conduct public  
2       meetings relating to the implementation of the man-  
3       agement plan;

4           (4) for any fiscal year for which Federal funds  
5       are made available under section 10—

6           (A) submit to the Secretary a report that  
7       describes, for the fiscal year, actions of the Alli-  
8       ance in carrying out this Act;

9           (B) make available to the Secretary for  
10      audit all records relating to the expenditure of  
11      funds and any matching funds; and

12          (C) require, for each agreement author-  
13      izing the expenditure of Federal funds by any  
14      entity, that the receiving entity make available  
15      to the Secretary for audit all records relating to  
16      the expenditure of the funds; and

17          (5) ensure that each county included in the  
18      Heritage Area is appropriately represented on any  
19      oversight advisory committee established pursuant to  
20      this Act to coordinate the Heritage Area.

21   **SEC. 7. MANAGEMENT OF HERITAGE AREA.**

22          (a) IN GENERAL.—Not later than 3 years after the  
23      date of enactment of this Act, the Alliance shall develop  
24      and submit to the Secretary a management plan for the  
25      Heritage Area.

1 (b) CONTENTS.—The management plan shall—

2 (1) provide recommendations for the preserva-  
 3 tion, conservation, enhancement, funding, manage-  
 4 ment, interpretation, development, and promotion of  
 5 the cultural, historical, archaeological, natural, and  
 6 recreational resources of the Heritage Area;

7 (2) identify sources of funding for the Heritage  
 8 Area;

9 (3) include—

10 (A) an inventory of the cultural, historical,  
 11 archaeological, natural, and recreational re-  
 12 sources of the Heritage Area; and

13 (B) an analysis of how Federal, State,  
 14 tribal, and local programs may best be coordi-  
 15 nated to promote and carry out this Act;

16 (4) provide recommendations for educational  
 17 and interpretive programs to inform the public about  
 18 the resources of the Heritage Area; and

19 (5) involve residents of affected communities  
 20 and tribal and local governments.

21 (c) APPROVAL OR DISAPPROVAL OF MANAGEMENT  
 22 PLAN.—

23 (1) IN GENERAL.—Not later than 90 days after  
 24 the date of receipt of the management plan, the Sec-

1       retary shall approve or disapprove the management  
2       plan.

3               (2) DISAPPROVAL AND REVISIONS.—If the Sec-  
4       retary disapproves the management plan, the Sec-  
5       retary shall—

6                   (A) advise the Alliance in writing of the  
7               reasons for disapproval;

8                   (B) make recommendations for revision of  
9               the management plan; and

10                  (C) allow the Alliance to submit to the  
11               Secretary revisions to the management plan.

12       (d) REVISION.—After approval by the Secretary of  
13       the management plan, the Alliance shall periodically—

14                  (1) review the management plan; and

15                  (2) submit to the Secretary, for review and ap-  
16       proval by the Secretary, any recommendations for  
17       revisions to the management plan.

18   **SEC. 8. DUTIES AND AUTHORITIES OF FEDERAL AGENCIES.**

19       (a) IN GENERAL.—Subject to the availability of ap-  
20       propriations, the Secretary may provide technical assist-  
21       ance and grants to the Alliance to pay the Federal share  
22       of the cost of developing and implementing the manage-  
23       ment plan.

24       (b) PROHIBITION OF CERTAIN REQUIREMENTS.—  
25       The Secretary may not, as a condition of the award of

1 technical assistance or grants under this section, require  
2 any recipient of the technical assistance or a grant to  
3 enact or modify any land use restriction.

4 **SEC. 9. EFFECT OF ACT.**

5 (a) NO EFFECT ON LAND USE AUTHORITY.—Noth-  
6 ing in this Act modifies, enlarges, or diminishes the au-  
7 thority of any State, tribal, or local government to regulate  
8 any use of land under any other law (including regula-  
9 tions).

10 (b) LOCAL AUTHORITY AND PRIVATE PROPERTY  
11 NOT AFFECTED.—Nothing in this Act affects or author-  
12 izes the Alliance to interfere with—

13 (1) the right of any person with respect to pri-  
14 vate property; or

15 (2) any local zoning ordinance or land use plan  
16 of the State or a political subdivision of the State.

17 (c) NO EFFECT ON INDIAN TRIBES.—Nothing in this  
18 Act—

19 (1) restricts an Indian tribe from protecting  
20 cultural or religious sites on tribal land; or

21 (2) diminishes the trust responsibilities or gov-  
22 ernment-to-government obligations of the United  
23 States to any Indian tribe recognized by the Federal  
24 Government.

1 (d) MANAGEMENT OF FISH AND WILDLIFE.—Noth-  
2 ing in this Act—

3 (1) modifies, enlarges, or diminishes the author-  
4 ity of the State to manage fish and wildlife in the  
5 Heritage Area, including the regulation of fishing  
6 and hunting; and

7 (2) authorizes the Alliance to assume any man-  
8 agement authorities over such lands.

9 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

10 (a) IN GENERAL.—There is authorized to be appro-  
11 priated to carry out this Act \$10,000,000, of which not  
12 more than \$1,000,000 may be made available for any fis-  
13 cal year.

14 (b) FEDERAL SHARE.—The Federal share of the cost  
15 of any activity carried out using funds made available  
16 under this Act shall not exceed 50 percent.

○